

Senate File 351 - Introduced

SENATE FILE 351
BY COMMITTEE ON HUMAN
RESOURCES

(SUCCESSOR TO SSB 1133)

A BILL FOR

1 An Act relating to service providers under Medicaid home and
2 community-based services waivers.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 135C.6, subsection 8, paragraph c,
2 unnumbered paragraph 1, Code 2013, is amended to read as
3 follows:

4 A residential program approved by the department of human
5 services pursuant to this paragraph "c" to receive moneys
6 appropriated to the department of human services under
7 provisions of a federally approved home and community-based
8 services habilitation or waiver for persons with intellectual
9 disabilities program may provide care to not more than five
10 individuals. The department shall approve a residential
11 program under this paragraph that complies with all of the
12 following conditions:

13 Sec. 2. 2010 Iowa Acts, chapter 1031, section 351, is
14 amended to read as follows:

15 SEC. 351. MEDICAID HOME AND COMMUNITY-BASED SERVICES WAIVER
16 PAYMENTS UTILIZATION — REVIEW. The department of human
17 services shall evaluate payment records utilization data and
18 determine the proper mechanism to trigger a review of payments
19 medical necessity for services provided under each home and
20 community-based services waiver that are in excess of the
21 median amount for payments through the applicable waiver.
22 Following evaluation of the utilization data and determination
23 of the trigger mechanism, the department shall notify the
24 affected providers of the results of the evaluation of
25 utilization data, the determination of the trigger mechanism,
26 and the criteria that will be used for review of services that
27 exceed the trigger mechanism, at least sixty days prior to
28 applying the trigger mechanism to assess the medical necessity
29 of the services requested. Following development of the
30 trigger mechanism provision of notice to affected providers
31 as required under this section, the department shall require
32 advance approval for services for which payment utilization is
33 projected to exceed the median trigger mechanism as applicable
34 to each waiver service. The use of a trigger mechanism and the
35 approval process is intended to preserve necessary services

1 while preventing overuse of services.

2 EXPLANATION

3 This bill involves provisions relating to Medicaid home and
4 community-based services (HCBS) waivers.

5 The bill amends a provision in the health facilities
6 licensing chapter (Code chapter 135C) that provides an
7 exemption from licensing as a health care facility for certain
8 residential programs to which the department of human services
9 (DHS) applies accreditation, certification, or standards of
10 review. The bill broadens the exemption for residential
11 programs that provide care to not more than five individuals
12 that are approved by DHS to receive moneys under an HCBS
13 waiver, by removing the limitation to only HCBS waivers for
14 persons with intellectual disabilities and instead providing
15 for application of the exemption to residential programs
16 approved by DHS to receive moneys under HCBS habilitation or
17 waiver programs.

18 The bill also amends a provision in 2010 Iowa Acts relating
19 to evaluation of Medicaid HCBS waiver payments, to instead
20 require that DHS evaluate utilization data and determine the
21 proper mechanism to trigger a review of medical necessity for
22 services provided under each home and community-based services
23 waiver. Following evaluation of the utilization data and
24 determination of the trigger mechanism, DHS is required to
25 notify affected providers at least 60 days prior to applying
26 the trigger mechanism. Following provision of the notice,
27 DHS is to require advance approval for services for which
28 utilization is projected to exceed the trigger mechanism.